Previous references.

7. Nov 08. 881-2. G. 7162-08
7. June 11. 883-5. G. 769-10

1910-11

(Gen. Jun)

Later references.

B. Feb 12. 881-2. G. 7295-11.

File No. 396-10

Serial Nos. 1-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B. for June 1911.

SUBJECT.

Re the Savings Bank account of Seroji Rao, late father of Devoji Rao of Yedatore.

1. Petition dated 6.7.11 from Mr. Devoji Rao.
Prays that he may be heard in regard to his claim to the deposit of Rs 48719 in Govt Savings Bank and that orders be passed for the issue of 4% Mysore State Loan 1906-07 Pro-notes in favour of the Sons of the late Seroji Rao for Rs 40000 and that he be also permitted to draw the balance

2 To Mr. Devoji Rao of Yedatore.
No. H. 5960 dt. 6.6.11

G. R. S. 58 Informs him that his prayer cannot be complied with unless he produces a succession certificate in order to protect Govt against any other possible claimant.

To comptroller. No H. 5961 dt. 6.6.11
Inward copy of the above.

G.R.S. 11] 190-11

GENERAL AND REVENUE SECRETARIAT

(Gen Fin)

NOTES.

File. No. 396-10

FILE HEADING.

Devoji Rao of Jedatore.
re Chief Savings Bank account of his late father Devoji Rao at Jedatore

From

M^r Devoji Rao.

No. Petition Dated 6. 3. 1911 Received

Diary No. 3584	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

Prays that he may be heard in regard to his claim to the deposit of Rs 48719 in Govt Savings Bank and that orders be passed for the issue of 4% Myd State Loan of 1905-06 Pro notes @ in favour of the Sons of the late Devoji Rao for Rs 40000 + that he be also permitted to draw the balance

NOTES AND ORDERS.

S

1) G.F. 162-08: (Endorsement no 2468 & 26/4/1908) informing Devoji Rao that the production of Succession Certificate is necessary under the Savings Bank Act, is put up.

2 If approved ~~these papers be forwarded~~ the Comptroller may be requested to forward the file of papers in his office

NOTES—First sheet.

GPB—30,000—20-3-06.

G. R. S. 12]
General and Revenue Secretariat.

File No. 396 of 1910-11

Serial No.

referred to by the Petitioner.

3 May Branch III ~~may~~ be consulted as to how stands the question referred to by the petitioner in para 9 of the petition & Representative Assembly subject No 138 on the subject of Succession of Survivorship in an undivided family may be ruled in preference to the ~~existing~~ present practice of "~~Succession~~ Certificate of Succession".

Subd.
N-36
16/3

4 Has Vardhamanayya's Case, similar to this on which the Advocate's opinion was also taken, been disposed of. If so please put up that file also.

Subd. The file (69-10) is before the Council since 1/3/11
N.36
18/3

5 This is exactly similar to Vardhamanayya's Case. The latter file is before the Council

16-3-11

18/3/11

6 The case has been fully discussed in the file relating to Vardhamanayya's case. The rules governing Succession being Explicit Cannot be over ruled by the Hindu Law however strong, as was shown in the Principle any question of Hindu Law involved in this Case. Therefore the

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

production of certificate was a Cardinal precedent to the case for failure in which Vridhdal the transactions - the man has to pay the Stamp & produce a Certificate

Secy) 6/ 18/3/11

- A/c Loans

7 Please state below if the Comptroller's office is in possession of any additional facts which may be of help in deciding the case -

M 22/3

8 The Comptroller's Office is not in possession of any additional facts. The case is quite analogous to that of Vardha Ramaks

M 24/3/11

9 I agree with Asst Secy Fin -

M 24/3

Dewan) 25-3

10715
25.3.11

The same decision as in the case of Vardhamanayya may be copied

27/3/11

Draft

Draft submitted for approval. [It seems to be the

NOTE — Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

File No. 396 of 190

(4

This intention should not be assumed or acted upon but the matter should be again put up for orders when necessary. 31/5

Serial No.

The intention of Govt to refund the cost of taking out a Succession Certificate in the case of Vardhamanayya vide para 6 of Dewan Submission note dy 29/3/11 in § 2 69-10, though he is not appointed yet.]

Submd
M-36
31/5
31/5/11

31/5

Issue 1.6.11

2 To Mr Devoges Rao
H 5960 dy 6.6.11
Informing him that his prayer can not be complied with unless he produces a Succession Certificate in order to protect Govt against any other possible claimant

To Controller
No 5961 dy 6.6.11
Copy of the above

NOTE—Contn. sheet.

GPB—55,000—27.4.09

97 G.T. 396-10 (1)

1911. B35844

No. 2777

Name of Petitioner— Devoji Row

Village— Bangalore

Taluk— do

District— do

Date of Arzi— 6th March

Date of Receipt— do

Date of Disposal—

No. of Enclosure—

ABSTRACT.

Petitioner is the son of one Devjee Row land holder of Yedatore who died in 1905 leaving Rs 48719 in the Govt. Savings Bank— Petitioner applied for the investment of Rs 40000/ in the Mysore State Loan

Submitted for favor of the connected papers being ordered to be sent.

6.3.11

Early

7.3.11

1(a)

but he was told
that a Succession
certificate was
necessary — He
applied to Govt —
who also have
held that a cer-
tificate is neces-
-sary under the
Savings Bank Act —

Petr now prays
that he may be
heard & that orders
be passed that
pro. notes be issued
to them for Rs 40000
& that he be
also permitted to
draw the balance

BR
6. 3. 11

(2

To,

T. Ananda Rao, Esq., C. I. E.,

Dewan of Mysore.

The humble petition of (i) M.S. Devoji Rao, son of Sevoji Rao, land-holder, residing at -- Yedatore; &(ii) M.S. Hanumantha Rao, brother of first petitioner, a ged 12 years, minor by guardian and undivided brother first petitioner, --

Respectfully Showeth:-

1. That the late Mr. M.D. Sevoji Rao, a land holder and resident of Yedatore died in October 1905 leaving him surviving the petitioners who are his undivided sons.

2. That the deceased had opened an account in his name in the Mysore Government Savings Bank, as per Savings Bank Pass Book No.60, Yedatore, Mysore District, and that as per that Pass Book a sum of Rs. 48,719 - 13 - 6 was due on the date of the death of the late Mr. Sevoji Rao.

3. That after the death of Mr. Sevoji Rao, the first - petitioner applied on the 14th of September 1906 to the -- Comptroller to the Government of Mysore, to invest Rs. 40,000/- out of the said amount in the Four per cent. Mysore State Loan of 1906-1907, and to send him Pro-notes each of the value of Rs.1,000/- for the said amount.

4. That subsequently the first petitioner was informed

informed by the Comptroller as per his docket No.153 dated 13-10-1906 that his application to invest Rs.40,000/- in the said Four per cent. loan was accepted and the promissory notes in respect of his application would be issued on receipt of information from the Treasury Officer of -- Mysore that the needful entry has been made in the Pass Book and that the Pass Book would be returned by the Treasury Officer after the needful entry was made in the Pass book.

5. That after some time the first petitioner got another docket General No.2809/B A R No.408 dated 17th November 1906 from the Comptroller informing the first - petitioner that as the account stood in the name of the deceased father of the petitioner, the promissory notes cannot be issued till the receipt of a succession certificate. Pass book was subsequently returned to the first petitioner by the Mysore District Treasury Officer after making the entry in respect of the said sum of Rs.40,000/- and investing the same in the 4% loan.

6. That as the petitioners and their father were members of a joint Hindu family, and the petitioners claim the said amount under the Hindu Law of Survivorship and not under the Law of Succession, the petitioners beg to submit, that no certificate is necessary under the Law.

7. That the petitioners are prepared to furnish any security that the Government may be pleased to order.

8. That the petitioners applied to the Government on 26th November 1908 praying that it may be ordered that

no

no certificate is necessary under the circumstances and that Pro-notes may be issued to them without their being required to produce the certificates and that they may be permitted to draw the balance without the certificate: but the Government was pleased to order in -- F L 2468/Gl. 162-08-2 dated 26th November 1908 that a certificate is necessary under the Savings Bank Act.

9. That the petitioners beg to submit, that on a representation made in the Representative Assembly in October 1909 (Subject No.138), praying that in the case of members of an undivided family taking by survivorship it may be ruled that no certificate of Succession is -- necessary, the Government was pleased to order that, the Government will consider the question and pass the necessay orders.

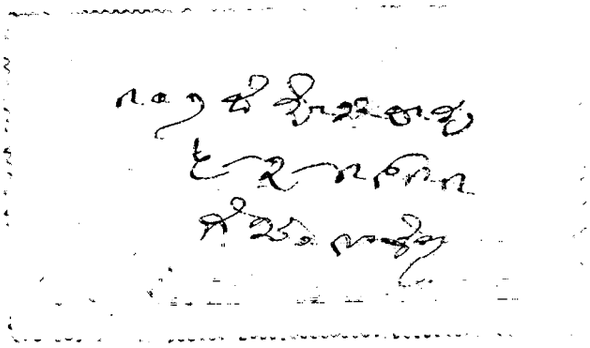
10. That the petitioners beg to submit that it would be very great hardship if undivided sons should be required to take a Succession certificate, to draw the amounts standing in the name of the father.

That the petitioners therefore respectfully pray that the Government may be pleased to hear the petitioners with reference to this petition and to direct that Pro-notes may be issued to them for the said sum of Rs.40,000/- and also to permit the petitioners to draw the balance -- without producing any Succession Certificate.

B.S. Iyengar & Sons

Bangalore.
6th March 1911.

(5



Before the Government of
Mysore

Mis. Petition No. of 1910-11

Petitioner Mr. S. Devoji Rao

Power of Attorney given
by petitioner to Mr. R. Gundu
Rao, advocate.

I, Mr. S. Devoji Rao, petitioner
named above do hereby engage
Mr. R. Gundu Rao, advocate
to act as my counsel in the matter
of the above petition and do
hereby empower him to appear before the Government &
such acts as may be necessary
in the above ~~case~~ case, and also I
do hereby agree to be bound by
the acts of my said counsel in
this matter. Mr. Devoji Rao

Ex. Sejpur before me
is known to me.
R. Gundu Rao

accepted
R. Gundu Rao
Advocate

G.R.S. 34]

No. JE 5960

GOVERNMENT OF H. H. THE MAHARAJA OF MYSORE.

General and Revenue Secretariat.

(G.7) G.7 396-10-Sl (2)

D 3584 16

Office Memorandum.

To Devoji Rao.
Landholder - Yedatore the 6-6-1911.

With reference to his petition of 6/3/1911 praying that he may be heard in connection with his application soliciting that succession certificate may be dispensed with in his case and that the 4% pro-notes be ordered to be issued to him for Rs 40000/- and permitted to draw the balance of the deposit in the Savings Bank Account of his deceased father; he is informed that his prayer cannot be complied with unless he produces a succession certificate, in order to protect Govt against any other possible claimant.

By order.

In JE 5961 of 6-6-11

Secretary

Copy to the Comptroller for information

By order

Secretary

GPB—10,000—13-8-10

5/6/FIII